

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MICHELLE WILSON,

Plaintiff,

-against-

NORTHWESTERN MUTUAL INSURANCE
COMPANY,

Defendant.
-----X

Civil Action No. 07/03811

**AFFIDAVIT OF PAULETTE
GETSCHMAN IN SUPPORT
OF NORTHWESTERN
MUTUAL LIFE INSURANCE
COMPANY'S MOTION FOR
SUMMARY JUDGMENT**

Paulette Getschman, being duly sworn, deposes and says:

1. I am employed by The Northwestern Mutual Life Insurance Company ("Northwestern Mutual") as an Assistant Director in its Policyowner Services Department. In April 2005, I was employed by Northwestern Mutual in that same capacity. As an Assistant Director in the Policyowner Services Department in April 2005, I supervised Melissa Nowak. At that time, Ms. Nowak received communications from Northwestern Mutual policyholders and provided service to them.
2. I make this Affidavit in support of Northwestern Mutual's motion for summary judgment and I base this Affidavit on the business records regularly maintained by Northwestern Mutual in the course of its business.
3. Attached hereto as Exhibit "P" are the notes created by Ms. Nowak on April 27, 2005 memorializing her telephone conversation with Mr. Wilson and the actions she took at Mr. Wilson's request. These notes are maintained by Northwestern Mutual as a business record in its Casetracker system. It was the practice in 2005 of Northwestern Mutual to have those persons who worked in the Policyowner Services Department memorialize their telephone conversations.

4. According to Exhibit "P", on April 27, 2005, a policyholder who identified himself as Kenneth Wilson telephoned Northwestern Mutual and Ms. Nowak took his call. Mr. Wilson called to have Northwestern Mutual reopen his Insurance Service Account ("ISA"). Mr. Wilson requested that the ISA be reopened only for his Term Life Policy No. 16852105 and that sufficient funds be transferred from his bank account to the ISA to pay the premiums on the Term Life Policy to December 28, 2005. In that telephone call, Mr. Wilson provided Ms. Nowak with the necessary information to obtain the funds from his bank account by doing a one time draft.

5. As Mr. Wilson requested, Ms. Nowak reactivated his ISA on April 27, 2005 and requested a draft to be sent from Mr. Wilson's bank account at JP Morgan Chase to his ISA to pay the premium on the Term Life Policy to December 28, 2005.

Dated: January 25, 2008

Milwaukee, Wisconsin

Paulette Getschman
Paulette Getschman

Sworn to before me this 25th day
of January, 2008

Caryle Babcock
Notary Public

Caryle Babcock
Notary Public
State of Wisconsin

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) SS. :
COUNTY OF NASSAU)

I, Lisa Sullo being sworn, say:

I am not a party to the action, am over 18 years of age and reside in West Babylon, New York.

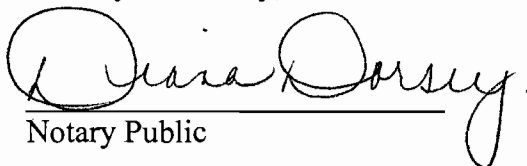
On January 31, 2008, I served the within **Affidavit of Paulette Getschman in Support of Northwestern Mutual Life Insurance Company's Motion for Summary Judgment** by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name:

Douglas R. Dollinger & Associates
40 Matthews Street, Suite 101
Village of Goshen
Goshen, New York 10924



Lisa Sullo

Sworn to before me this
31th day of January, 2008



Notary Public

DIANA DORSEY
Notary Public, State of New York
No. 01DO6067959
Qualified in Nassau County
Commission Expires December 24, 2009